

**GOVERNMENT OF PUDUCHERRY  
LABOUR DEPARTMENT**

(G.O. Rt. No. 16/Lab./AIL/J/2013, dated 7th February 2014)

**NOTIFICATION**

Whereas, an Award in I.D. No. 20/2003, dated 23-11-2013 of the Labour Court, Puducherry in respect of the industrial dispute between the Managing Director, M/s. Puducherry Agro Products Food and Civil Supplies Corporation Limited, Puducherry and PAPSCO Employees Union, Puducherry represented by its President Thiru Ravi over overlooked their seniority and denied the appropriate pay scale has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G.O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said award shall be published in the official gazette, Puducherry.

(By order)

**S. THAMMU GANAPATHY,**  
Under Secretary to Government (Labour).

**BEFORE THE LABOUR COURT AT PUDUCHERRY**

*Present : Tmt. S. MARY ANSELAM, M.A., M.L.,  
Presiding Officer, Labour Court.*

*Saturday, the 23rd day of November 2013.*

**I.D. No. 20/2003**

PAPSCO Employees Union  
Puducherry represented by its  
President Mr. Ravi . . . Petitioner  
Vs.

M/s. Puducherry Agro Products Food  
and Civil Supplies Corporation Limited,  
Puducherry represented by its  
Managing Director . . . Respondent

This industrial dispute coming on 4-10-2013 for final hearing before me in the presence of Thiruvalargal L. Annadoure, Mrs. Sharmila Anandan and N. Anandan, Advocates for the petitioner, Thiru K. Ranganathan, Advocate for the respondent, upon hearing both sides, upon perusing the case records, after having stood over for consideration till this day, this court passed the following:

**AWARD**

This industrial dispute arises out of the reference made by the Government of Puducherry, *vide* G.O. Rt. No. 105/2003/Lab/J, dated 1-8-2003 based on the representations made by the PAPSCO Employees Union stating that PAPSCO had overlooked their seniority and denied the appropriate pay scale to them. In the said G.O. the Labour Department has referred the following matter for adjudication and to pass award within a period of three months from the date of issue of reference:

(1) Whether the management of M/s. Pondicherry Agro Products Food and Civil Supplies Corporation Limited, Pondicherry has overlooked the seniority while giving appointment to the posts of Junior Assistants and Drivers? If so, to give appropriate direction.

(2) Whether the said management has denied appropriate pay scale to Thiru K. Ramasamy working in Coffee Section as Coffee Roaster? If so, to give appropriate direction.

(3) To what other reliefs the workmen represented by the said union are entitled to?

(4) To compute the relief, if any, awarded in terms of money if it can be computed.

2. The petitioner in his petition has stated as follows :-

The petitioner states that PAPSCO came into existence on 1-1-1990 and at the time of its establishment PAPSCO had recruited casual labourers. The petitioner states that for about five years on end the casual labourers were working as such without any promotion being giving to them. As per the agreement arrived at between the parties about 25 of the casual labourers were regularised according to service seniority and subject to the reservation policy for schedule castes/tribes as Helpers in the pay scale of ₹ 750-940 irrespective of the nature of duties performed by them. But when fitment to appropriate posts was undertaken the management had overlooked the service seniority of many candidates in the regular and non-regular establishments. The management had wrecked vengeance and victimized both the President Mr. Sathiyamurthy and Secretary of the union Mr. Mariyappan who ranked No.1 and 22 respectively in the seniority list and they were left as Helper and Auto Driver respectively in the pay scale of ₹ 750-940 along with some others while similarly placed and similarly qualified juniors were elevated to higher posts of Junior Assistant and Driver respectively in the pay scale of ₹ 950-1580 and therefore he is entitled to the salary and other statutory benefits as drawn by Junior Assistant from 14-8-1995 till 8-7-2003 and the

respondent/management must pay the amount less the amount which he has been drawing as salary every month and further he is entitled to claim salary as given to Senior Assistant from 9-7-2003 to 5-9-2005 which has to be worked out by the respondent/management and paid in favour of him in accordance with rules and further his position in the needs to be reverted and placed in the 1st in the seniority list as it was in existence them.

The petitioner humbly submits that the said Mariappan was figuring 22nd place in the order of seniority and he was designated as Auto Driver on 31-10-1995. The petitioner submits that earlier on 21-10-1995 the respondent / management had posted one Thangavelu, Gowri Ganesh, Ezhumalai and Munisamy @ Nagarajan to the regular post of Driver/ Staff Car driver who were very much juniors to the aforesaid Mariappan who should have been posted to the regular post of Driver/Staff Car Driver and in fact the respondent/management had done so with the corrupt intention of victimizing him who had been actively engaged in trade union activities and in fact he was the Secretary of the PAPSCO Employees Union. The said Mariappan having been aggrieved by the order which would post him as Auto Driver had filed O.S.No.1539/96 on the file of Hon'ble Principal District Munsif Court, Puducherry for setting aside the order and for mandatory injunction against the respondent/ management directing it to post him as Driver/Staff Car Driver and the suit came to be decreed in his favour by way of judgment and decree dated 22-12-1998. The respondent/management had filed Appeal A.S.No.110/99 on the file of Hon'ble III Additional District Judge, Puducherry.

The Petitioner states that the respondent/ management had also disregarded the case of M. Munisamy for promotion to the post of Junior Assistant when in fact he had educational both requisite and desirable qualification like S.S.L.C., +2, B.Com and English typewriting. The respondent/ management had not considered the cases of Helpers V. Vijaikumar, V. Murugasamy, V. Datchanamurthy, V. Palanisamy, S. Vijayaragavan, V. Gunasegaran, S. Guna, R. Rajaram, S. Narindersundar who should have been promoted to the post of Junior Assistant. Consequently, direct the respondent to accord all statutory, monetary and other benefits to those persons who were affected by such a promotion done by overlooking the service seniority retrospectively; direct the respondent to promote Mr. J. Sathiyamurthy who is a Junior Assistant at present and who was 1st in the seniority list, to the post of Manager by awarding all statutory, monetary and other benefits as per law, rules and regulations if any and further direct the respondent to cause fixation of pay scale of ₹ 3,500 for Mr. K. Ramasamy- Coffee Roaster on par with the pay

scale fixed for Drivers employed in rice milling and hulling and oil expelling unit in Puducherry Marketing Committee, Thattanchavady, Puducherry.

3. The respondent in his counter has stated as follows:—

The respondent states that the name of the PAPSCO was changed into Puducherry Agro Products, Food and Civil Supplies Corporation Limited on 6-3-2007. As such, between 1-2-1991 *i.e.* from the date of commencement of activities of this Corporation and 31-12-1991, totally 90 candidates were employed as casual labourers on daily rated basis. The two applicants *viz.* Tvl. J. Sathiyamurthy and K. Ramasamy in this I.D are among the 90 candidates and their educational qualifications were Higher Secondary and VI (discontinued) respectively. The eligibility for declaring the seniority of the said 90 casual labourers was based on the date of their engagement as casual labourer. As such, the seniority of the applicants J. Sathiyamurthy and K. Ramasamy in this I.D. was at No.1 and No.11 among the said 90 CLR's. the first 25 CLR's. were regularised on 30-3-1995 in the post of Helpers carrying the scale of pay of ₹ 750-12-870-EB-14-940 including the two applicants. The audit of Comptroller and Auditor General of India was taken up with due diligence and the Board of PAPSCO decided to create the post of "Junior Assistants" falling under Group-C category carrying the scale of pay of ₹ 3050-75-4590.

In the meanwhile, the petitioner Sathiyamurthy stung by handicap in his educational qualification which deprived him of the promotional opportunity, completed his typewriting examination during August 2000 after a gap of five years. The petitioner himself admitted that at the time of offer of promotion on selection basis during 1995 he possessed the educational qualification of 12th standard alone and subsequently he acquired typewriting examination in the year August 2000. The petitioner Sathiyamurthy was not possessing typewriting and during the scheme of offer of appointment till November 1995, he was not in the zone of selection list neither in the first spell of 17 candidates since he was not possessing Degree/Diploma as the number of posts required under general category during July 1995, nor in the second spell of selection list of 3 candidates possessing +2 with typewriting during November 1995.

The petitioner Sathiyamurthy is that since he has now acquired the requisite typewriting, the eligible individuals who were promoted to the post of Junior Assistant but did not pass the typewriting within the time frame given and who were subsequently exempted from the same based on their nature of their duties. The same ID Thiru K. Ramasamy, Helper who studied up to V standard (VI Standard discontinued) also offered

Helper post in the scale of ₹ 750. The absorption of casual labourers as Helpers was made during 1995 and while offer of appointment to the first 25 CLRs. Therefore, the question of offer of promotion to the above said Ramasamy, Helper to the post carrying in the scale of ₹ 3,050 on par with Junior Assistant who were selected on seniority-cum-merit basis with necessary qualifications/candidates satisfying the recruitment rules did not arise.

The above case could not be disposed off within the said stipulated time by the absence of default of the petitioner. The stand of the PAPSCO Employees Union is not consistent as well as common interest. Initially in the disputes which filed in the year 1996, 23 employees' names were mentioned by the petitioner union as if they were overlooked by the PAPSCO and caused grievances to them. Whereas in the claim statement filed in the above case by the petitioner union on 23-4-2009 only 10 names were mentioned specifically by way of including two more persons claiming wrongly the acquiring of B.Com. degree qualification of Thiru Munusamy. Subsequently on 10-11-2010 a list of employees claiming to have been aggrieved for 17 persons to consider Junior Assistant post by way of excluding 8 names which furnished in the list while making industrial dispute in the year 1996 and by way of including one employee namely R. Balamurugan in the above case. PW1 has admitted during cross-examination that he has no proof to show that he is the President of the said union and one V. Palanisamy is the Secretary of the said union.

4. On the side of the petitioners, PW1 to PW3 are examined and the side of the respondent RW1 was examined. On the petitioners side Ex.P1 to Ex.P86 were marked. On the side of the respondent, Ex.R1 to Ex.R19 were marked.

5. *The point for consideration is:*

Whether the petitioner is entitled for the relief sought for is the point for determination?

6. *On this point:*

It is stated on the side of the petitioner that it has raised the industrial dispute over regularisation of service and framing of industrial standing orders and therefore the issues have been brought before the Labour Officer (Conciliation) and a settlement has been arrived at between the petitioner and the respondent who has agreed to publish tentative seniority list, also agreed to regularise 25 employees of PAPSCO as per seniority to the post of Helpers before 31-3-1995 and it has agreed to submit draft standing orders and on the basis of agreement a settlement has been drawn up on 16-2-1995. But while fitment to appropriate posts was undertaken the respondent overlooked the service

seniority of several candidates for instance one J. Sathiyamurthy who was the President of the union and one Mariappan was the Secretary were victimized in as much as they have been left as Helper and Auto Driver respectively and similarly juniors were elevated to higher posts of Junior Assistants and Driver respectively. According to the management the minimum educational qualification for appointment as Junior Assistant is S.S.L.C. passed with typewriting in English (lower grade) and preference to be given to graduates. Although the respondent has appointed even those who were not possessed the minimum qualifications required for the post by relaxing the condition of passing the typewriting test and requiring them to pass the test within one year of joining as Junior Assistant. It is submitted by the petitioner that once again the issue of supersession of seniority while promoting the candidates, the issue the denial of appropriate pay scale and an issue relating Mr. Ramasamy who is the Coffee Roaster in the coffee section has been taken up before the Labour Officer (Conciliation) since conciliatory effort taken by the officer has ended in vain and conciliation failure report No.993/LOC/AIL, dated 5-1-1996 of the Labour Officer (Conciliation), Puducherry came into being and consequently the Government has been pleased to refer the matter for adjudication before the Labour Court and the terms of the reference are as follows:

(1) Whether the management of M/s. Pondicherry Agro Products Food and Civil Supplies Corporation Ltd., Pondicherry has overlooked the seniority while giving appointment to the posts of Junior Assistants and Drivers? If so, to give appropriate direction.

(2) Whether the said management has denied appropriate pay scale to Thiru K. Ramasamy working in coffee section as Coffee Roaster? If so, to give appropriate direction,

(3) To what other reliefs the workmen represented by the said union are entitled to?

(4) To compute the relief, if any, awarded in terms of money if it can be computed.

7. The petitioner submits that despite agreement to present draft industrial standing orders the respondent has not framed the industrial standing orders to this day and similarly there are no recruitment rules framed and approved by Government and notified for the posts. The respondent contend that the recruitment rules have been framed duly only after Office of the Controller and Auditor General has pointed out during March 1995 as to the dearth in the number of staff and that the Board has decided the number of posts needed in various cadres and fix the recruitment rules correspondingly and such a stand find place in the counter statement and it will be appropriate and the relevant portion is stated below.

8. It is advised that they shall decide the number of posts needed in various cadres and fix the recruitment rules correspondingly. The recruitment rules consciously devised by the Board for the post of Junior Assistant for direct recruitment was as below:

Essential: A minimum pass in S.S.L.C. with typewriting English Lower.

Desirable: Any Degree/Diploma of a recognized institution with minimum two years of service experience.

9. The Board of our Corporation, while deciding the number of posts of Junior Assistant to be created and the corresponding recruitment rules and the corresponding rules is mentioned above. So, solely for the purpose of meeting out roster based reservation for SC/ST, 3 scheduled caste candidates with the minimum S.S.L.C. qualification prescribed in the recruitment rules was recruited. All candidates initially recruited as Junior Assistants from the Helper/casual labourer category satisfied the eligibility prescribed in the recruitment rules. The petitioner had acquired the typewriting qualification subsequently during August 2000, on eligibility and satisfying the recruitment rules, his promotion of Junior Assistant was offered on account of vacancy arising and eligibility criteria.

10. Therefore, the question of offer of promotion to the above said Ramasamy, Helper to the post carrying in the scale of ₹ 3,050 on par with Junior Assistant who were selected on seniority-cum-merit basis with necessary qualifications/candidates satisfying recruit rules did not arise.

11. Hence, he was not considered for the post of Junior Assistant during 1995. Further, for another petitioner Ramasamy who studied up to V Std. discontinued one among the CLR of the Corporation was offered the Helper post satisfying the recruitment rules applicable to the other CLRs.

12. It is stated in the counter statement and it was stated by the RW1 in his cross-examination that during April 1995 the recruitment rules was given which were not approved by the Government and it was not necessary. ஏப்ரல் மாதம் 95-ம் ஆண்டு பணி நியமன உத்தரவு வழங்குகிறார்கள். அந்த நியமன விதிமுறைகள் அரசின் அனுமதி பெறவில்லை என்றால் அதற்கு அவசியம் இல்லை.

13. The petitioner becomes necessary to know about the antecedent of RW1. RW1 has been working as CLR and as per the settlement arrived at between petitioner and the respondent the service of CLRs have been regularised as Helper and the name of RW1 as find place 42 in the seniority list and the management has just promoted RW1 as Junior Assistant and he has been successively promoted as Senior Assistant, Manager

and then the Assistant General Manager because he is in good books with the management and the respondent management has shown him favouritism in violation of the principal of natural justice then he has attached himself as Personal Assistant to the Managing Directors namely Mr. Ezhumalai, Mr. Ravindran, Mr. Anbazhagan, Mr. Vasantha Kumar, Mr. Ganesan, Mrs. Priyadarsini. Further RW1 has prepared the counter statement and his evidence serving and he is interested and he is the one who is the cause for the lot of workers and therefore his evidence is not credible. On the side of the respondent except RW1 no other witness was examined so his evidence is viewed with great caution.

14. It is argued that on the side of the respondent that there are recruitment rules but it is not chosen as to submit the relevant recruitment rules for the posts available in the PAPSCO duly approved by the Government and the same notified in the official gazette. According to the RW1 it is not necessary to get the recruitment rules duly approved by the Government, it is not correct statement because PAPSCO is the Government undertaking and it is being managed and functions as such with the funds contributed by the Government. RW1 says that the management has framed recruitment rules during the month of April 1995 and then he would say that the staff service rules of PASIC is applicable to the respondent Corporation which is a false one because the respondent has nowhere in the counter statement has stated that staff service rules Ex.R18 is applicable to the process of recruitment and promotion of candidates to the posts. It is not specifically pleaded and proved that the staff service rules of PASIC is applicable to PAPSCO. RW1 would say that staff service rules of PASIC is being in vogue in PAPSCO from 23-11-1990, for the Corporation has been incorporated only on 27-9-1990 and it has started its business activities with effect from 1-2-1991 and therefore there is no knowing as to kind of recruitment rules available and the applicable in PAPSCO. RW1 further states the Chairman of the respondent Mr. Balan has appointed one man committee to over see the framing and preparation of recruitment rules and the said one man committee has not framed the recruitment rules so far. So from the available evidence, it is clear that there are no recruitment rules framed for the posts in the respondent establishment down to this day and the respondent is promoting the candidates as its whims and fancies would dictate and further it is indicative there is no rule of law in PAPSCO and all the workers are either at the mercy of the management or at displeasure of the management and RW1 is one who decides all.

15. The Industrial Employment Standing Orders Act, 1946 require the respondent has to define with sufficient precision the conditions of employment of

workers who work under it to make the said conditions known to the workmen employed by it. Section (1) of the Industrial Employment Standing Orders Act, 1946 require that the PAPSCO has to submit the draft standing orders to the certifying officer within six months from the date on which the Act became applicable to it. The respondent has agreed before the Labour Officer (Conciliation) to submit the draft standing orders but the respondent has not taken any steps to certify the standing orders to this day. Ex.P26 is a copy of the gazette notification of the recruitment rules for Lower Division Clerk in support of its contention and prescribing a higher qualification for recruitment to the post of Junior Assistant must certainly smack of favouritism and it will only indicate that the respondent intends to recruit certain person of its choice and nothing more. The post of Lower Division Clerk in Government departments and the post of Junior Assistant are similar and the respondent being a Government industrial establishment is precluded from prescribing a different qualification than one prevailing in other departments of Government and the respondent is bound to follow the recruitment rules and qualifications prescribed by other departments. Further the pay scale of Lower Division Clerk in Government departments is ₹ 950-1,500 and the pay scale of Junior Assistant in the respondent establishment is ₹ 950-1,500 are similar and therefore there is no difference in pay scale.

16. The service seniority has been affixed by 90 workers and there is no doubt about it and the respondent cannot deny it. So when once having decided to recruit helpers to the post of Junior Assistant the respondent ought to follow rules strictly the workers rank in the seniority list but the respondent has failed to do so and promotion has been made recklessly and against the principles of natural justice as there is no recruitment rules. A few candidates with qualification of degree has been promoted as Junior Assistants and some candidates with S.S.L.C. without typewriting certificate has been promoted as Junior Assistants and those appointees who have no typewriting certificates have been exempted from production at the time of promotion and they have been required to produce the certificates within one year from the date of appointment and one Vengatachalapathy whose order in seniority is 88 and who has no typewriting certificate has been promoted as Junior Assistant when in fact he has not passed the typewriting till this day. Likewise, the following candidates who have been promoted as Junior Assistants have been exempted from production of typewriting certificates as per the office order No.125/PAPSCO/95, dtated 14-8-1995.

1. Venkatachalapathy (Sl. No. 10 of the office order)
2. V. Jeyaraman (Sl. No. 11 of the office order)

3. V. Sowmian (Sl. No. 13 of the office order)
4. A. Gajavardhan (Sl. No. 15 of the office order)
5. M. Rajasekaran (Sl. No. 165 of the office order)
6. M. Ravi (Sl. No. 17 of the office order).

In the seniority of the Venkatachalapathy is 88 in a list of 90 candidates. The respondent has failed to consider the following senior candidates who possesses the minimum qualification of S.S.L.C. and above. Further, the following candidates have been upgraded as Junior Assistants by superseding the legitimate and rightful claims of the aforesaid candidates. Name seniority

- 1.T. Nallathambi 14
2. J.Santhi 17
3. R. Amaran 18
4. K. Kalyanasundaram 27
5. S. Ganesan 40
6. V. Sripathy 42
7. K. Vengadachalapathy 52
8. D. Vardharaj 79
9. P. Vaithyanathan 84

These candidates have been further promoted as Senior Assistants as RW1 one among them. The petitioners submits that Sathiyamurthy whose order in this seniority list is 1 has not been promoted as Junior Assistant by relaxing the conditions as typewriting certificate but he has been denied promotion because he was the President of the trade union similarly one M. Munisamy who possessed the educational qualification of higher secondary and typewriting certificate has been denied promotion because he has involved actively in trade union activities. Likewise, one Mariappan who was the Secretary during 1995 was denied of promotion as Driver. The aggrieved workers have been promoted to the post of Junior Assistants during the pendency of the proceedings and therefore were entitled for all benefits from the date of their claim which has been overlooked till the date of their claim promoted as Junior Assistants so it is decided that the respondents has promoted juniors by overlooking service seniority. So, it is necessary to place them retrospectively on the same footing at the time of passing the order unlawful supersession till the time the aggrieved workers promoted as Junior Assistants. So the first question is answered in favour of the petitioners.

17. One, Mariappan who is the Secretary of the PAPSCO employees union has been denied promotion as Driver when in fact candidates who are very much junior to him have been promoted as Drivers and

therefore he has filed as O.S.No.1539/96 against the respondent and the juniors in service seniority on the file of Hon'ble Principal District Munsif Court, Puducherry for setting aside the order of promotion and after trial the Hon'ble Court has been pleased to direct the respondent to place and the post of said Mariappan in accordance with his seniority while appointing drivers. The judgment is marked Ex.P83 and the decree is marked Ex.P84 in the judgment para No.28. It is stated that DW1 himself has admitted in the evidence that the first defendant Corporation has overlooked the seniority of the plaintiff and posted him in lower category while his juniors were posted in higher category and higher pay and allowance. The first defendant Government Corporation should act more in the welfare of its employees as a model employer and there should not be any room for whims and fancies.

18. As against the judgment the respondent has preferred appeal and the appeal was dismissed and subsequently the respondent has complied with the direction given in the suit. So far Ex.P83 and 84 it is very clear that the promotion is being made by the respondent by overlooking service seniority during the material point of time.

19. It is submitted on the side of the petitioner name of K. Ramasamy finds place 11th in the order of seniority who is the technically experienced skilled hand working as Coffee Roaster from 31-5-1991. He has been working in Lakshmi Coffee Works, Puducherry prior to 31-5-1991 and the respondent establishment has sought his service and therefore he has resigned from the work as a Coffee Roaster and when the 25 CLRs have been regularised as Helpers he too has been regularised as Helper and in fact after appreciating the work of K. Ramasamy the respondent has fixed his wage at ₹ 1,000 per month while others who performed clerical duties were fitted to wages ranging from ₹ 450-900 and therefore K. Ramasamy has claimed the pay scale of ₹ 950-1,500 which is the pay scale for Junior Assistant. The respondent has not conceded the claim because K. Ramasamy has been actively engaged in trade union activities. In order to counter the claim of K. Ramasamy and deprive his claim respondents sent some workers to be trained in coffee roasting and grinding in the Coffee Board in Bangalore and although they have been trained they could not practically roasting and grinding coffee Ex.P10 to 13 proves it. Therefore, the respondent has closed down in coffee section during the pendency of proceedings with an ulterior motive. The pay scale of a Driver who performs the duties of rice milling and hulling which is similar to roasting and grinding coffee so as to show that both the jobs are analogous. So the petitioner, need not closed down the unit on the ground of viability and in fact coffee unit has been fetching good income and the unit has been closed only due to

retaliatory measure. He has been assigned the duties which are being performed by Junior Assistant and therefore the pay or wage as given to their Lower Division Clerk is to be fixed in his case.

20. The respondent in its written argument would say of selection post and non-selection posts but on the petitioner has known all along is that juniors in the seniority list have been promoted as Junior Assistant superseding the claim of the seniors who have similar qualification as arguments and side of the respondents has not been correct one. Taking into consideration of the above such aspects it is very clear that the seniority has been overlooked by the respondent in promoting employees so the respondent is directed to promote Mr. J. Sathiyamurthy, Junior Assistant at present who was the first in the seniority list to the post of Manager by awarding all statutory, monetary and other benefits as per law, rules and regulations. The respondent is further directed to fix the pay scale at ₹ 3,500 for K. Ramasamy, Coffee Roaster on par with the pay scale fixed for the employees of rice milling and hulling unit in Puducherry Market Committee. The respondent is directed to promote K. Ramasamy to the post of Junior Assistant by awarding all tentative benefits and the claim petition filed by the petitioners are allowed.

Typed to my dictation, corrected and pronounced by me in the open court on this the 23rd day of November 2013.

**S. MARY ANSELAM,**  
Presiding Officer,  
Labour Court, Puducherry.

*List of petitioner's witnesses :*

- PW.1—Ravi
- PW.2—Sathiyamurthy
- PW.3—K. Ramasamy

*List of petitioner's exhibits :*

- Ex.P1 — Copy of Technical Education of Munissamy @ Dayalan in May 1990.
- Ex.P2 — Copy of Transfer-cum-Conduct Certificate of Munissamy @ Dayalan, dated 5-1-1995.
- Ex.P3 — Copy of letter of Munissamy @ Dayalan regarding educational quality and promotion to the Managing Director, dated 8-8-2002.
- Ex.P4 — Copy of letter of Munissamy @ Dayalan regarding omission of his name in Junior Grade to the Managing Director, dated 21-4-2003.

Ex.P5 — Copy of letter of Munissamy @ Dayalan regarding promotion for Junior Assistant to the Managing Director, dated 10-9-2003.	Ex.P22 — Copy of the List of PAPSCO Helpers Final Seniority, dated 21-4-2005.
Ex.P6 — Copy of letter of Munissamy @ Dayalan regarding promotion for Junior Assistant to the Managing Director, dated 25-4-2005.	Ex.P23 — Copy of the Memorandum of order of Regularisation of Helpers, dated 9-7-2003.
Ex.P7 — Copy of letter of Munissamy @ Dayalan regarding promotion for Junior Assistant to the Managing Director, dated 14-3-1996.	Ex.P24 — Copy of the list of PAPSCO Casual Labourers Final Seniority, dated 30-3-1995.
Ex.P8 — Copy of letter of Memorandum from PAPSCO promotion to the post of Store-Keeper, dated 4-1-2008.	Ex.P25 — Copy of Memorandum, dated 30-3-1995.
Ex.P9 — Copy of letter of Office Order from PAPSCO promotion to the post of Store-Keeper, dated 29-1-2002.	Ex.P26 — Copy of the recruitment rules of Lower Division Clerk, dated 27-12-2005.
Ex.P10 — Copy of letter from PAPSCO for arrangements of training at Bangalore to the Director of Promotion, dated 24-4-1991.	Ex.P27 — Copy of the Office Order of Junior Assistants, dated 14-7-1995.
Ex.P11 — Copy of letter from PAPSCO for sending two persons for training at Bangalore to the Director of Promotion, dated 27-4-1991.	Ex.P28 — Copy of Corrigendum of Appointment of Helpers, dated 27-11-1995.
Ex.P12 — Copy of letter of Training Programme from Coffee Board, dated 29-4-1991.	Ex.P29 — Copy of Office Order of Junior Assistant, dated 5-12-1995.
Ex.P13 — Copy of letter from Coffee Board for Training Programme to the Director of Promotion, dated 10-5-1991.	Ex.P30 — Copy of Memorandum of Junior Assistant, dated 15-5-2000.
Ex.P14 — Copy of letter of Order of First Appellate Authority under RTI Act, dated 2-7-2007.	Ex.P31 — Copy of Memorandum of Junior Assistant, dated 25-2-2005.
Ex.P15 — Copy of Technical Education of Vijayaragavan in August 2001.	Ex.P32 — Copy of Memorandum of Junior Assistant, dated 10-6-2005.
Ex.P16 — Copy of Master Degree Certificate of Vijayaragavan, dated 10-1-2000.	Ex.P33 — Copy of Memorandum of Junior Assistant, dated 14-6-2005.
Ex.P17 — Copy of Letter of Sathiyamurthy to Managing Director, dated 14-12-2000.	Ex.P34 — Copy of Office Order of Senior Assistant, dated 30-6-2005.
Ex.P18 — Copy of Master Degree Certificate of Sathiyamurthy, dated 12-3-2000.	Ex.P35 — Copy of the Application under the RTI Act, 2005, dated 8-5-2008.
Ex.P19 — Copy of Letter from PAPSCO Employees Union, dated 2-3-2002.	Ex.P36 — Copy of Memorandum of Junior Assistant, dated 28-2-2009.
Ex.P20 — Copy of Letter from PAPSCO Employees Union to the Chief Secretary to Government, dated 12-4-1996.	Ex.P37 — Copy of the application under the RTI Act, 2005 for Ramasamy, dated 27-4-2008.
Ex.P21 — Copy of Letter from PAPSCO Employees Union to the Chairman/Managing Director, dated 27-8-2003.	Ex.P38 — Copy of the Matriculation Certificate of R. Siddardhan, dated 2-6-1978.
	Ex.P39 — Copy of Technical Education of R. Siddardhan in August 2012.
	Ex.P40 — Copy of the Provisional Certificate of R. Siddardhan, dated 14-7-1997.
	Ex.P41 — Copy of the Provisional Certificate of R. Siddardhan, dated 1-9-1998
	Ex.P42 — Copy of the HSC Certificate of Palanisamy in April 1984.
	Ex.P43 — Copy of Technical Education of Palanisamy in August 2000.
	Ex.P44 — Copy of S.S.L.C. of Palanisamy in March 1981.

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| <p>Ex.P45 — Copy of Memorandum for the post of Junior Assistant, dated 4-1-2008.</p> <p>Ex.P46 — Copy of Technical Education of Sathiyamurthy in August 2000.</p> <p>Ex.P47 — Copy of Master Degree of Sathiyamurthy, dated 20-11-2008.</p> <p>Ex.P48 — Copy of Technical Education of Sengeni in May 1998.</p> <p>Ex.P49 — Copy of the letter for arrangements for Training at Bangalore to the Director of Promotion, dated 24-4-1991.</p> <p>Ex.P50 — Copy of the letter of sending two person for Training at Bangalore to the Director of Promotion, dated 27-4-1991.</p> <p>Ex.P51 — Copy of the letter from Coffee Board for Training Programme, dated 29-4-1991.</p> <p>Ex.P52 — Copy of the letter from Coffee Board for Training Programme, dated 10-5-1991.</p> <p>Ex.P53 — Copy of the Permission Letter, dated 23-10-1991.</p> <p>Ex.P54 — Copy of the Memorandum for maintenance of Daily Progress Report Register, dated 15-2-1996.</p> <p>Ex.P55 — Copy of the Office Order for implementation of the scheme for the monthly free issue of 10 Kgs. of rice to Red Card Holder of Puducherry Region, dated 4-8-2007.</p> <p>Ex.P56 — Copy of the Office Order for transfer and posting of Helpers, dated 9-7-1996.</p> <p>Ex.P57 — Copy of the Office Order of Ramasamy, dated 7-10-2006.</p> <p>Ex.P58 — Copy of the Office Order for transfer and posting of Helper of Ramasamy, dated 28-6-2003.</p> <p>Ex.P59 — Copy of Character Certificate, dated 3-6-1991.</p> <p>Ex.P60 — Copy of S.S.L.C. of Ravi in April 1990.</p> <p>Ex.P61 — Copy of Technical Education of Ravi in February 2005.</p> <p>Ex.P62 — Copy of S.S.L.C. of Balamurugan in October 1989.</p> <p>Ex.P63 — Copy of Technical Education of Balamurugan in February 2005.</p> | <p>Ex.P64 — Copy of S.S.L.C. of Kumaraguru in March 1984.</p> <p>Ex.P65 — Copy of Master Degree of Kumaraguru, dated 8-12-1998.</p> <p>Ex.P66 — Copy of Technical Education of Kumaraguru in August 2007.</p> <p>Ex.P67 — Copy of Memorandum for Tentative Seniority List of Casual Labourers, dated 27-2-1995.</p> <p>Ex.P68 — Copy of Objection for Tentative Seniority List of Casual Labourers, dated 8-3-1995.</p> <p>Ex.P69 — Copy of Memorandum of Casual Labourers, dated 22-11-1995.</p> <p>Ex.P70 — Copy of Office Order for Helpers, dated 5-12-1995.</p> <p>Ex.P71 — Copy of Office Order of Repatriate of Thiru B. Mohandass, Jr. Assistant, dated 1-3-1999.</p> <p>Ex.P72 — Copy of Office Order for posting of Kumaraguru to discharge the duties of Cashier, dated 1-3-1999.</p> <p>Ex.P73 — Copy of letter from Kumaraguru for willingness to discharge the duties of Cashier, dated 4-3-1999.</p> <p>Ex.P74 — Copy of Office Order for Grant of Special Pay to Kumaraguru for handling cash, dated 12-7-1999.</p> <p>Ex.P75 — Copy of inhouse training programme in accounts, dated 10-12-1999.</p> <p>Ex.P76 — Copy of Technical Education of Murugasamy in August 2005.</p> <p>Ex.P77 — Copy of Memorandum for post of Junior Assistant of Murugasamy, dated 10-6-2005.</p> <p>Ex.P78 — Copy of S.S.L.C of Murugasamy in March 1983.</p> <p>Ex.P79 — Copy of Office Order for Junior Assistant, dated 30-6-2005.</p> <p>Ex.P80 — Copy of letter from Ravi regarding RTI Act, 2005, dated 8-5-2008.</p> <p>Ex.P81 — Copy of the trial court judgment and decree and appellate court judgment pertaining the driver Mariappan (O.S.No. 1539/96, PDM &amp; A.S. No.110/99 Additional District Judge), dated 22-12-1998.</p> |
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- Ex.P82 — Copy of the trial court judgment and decree and appellate court judgment pertaining the driver Mariappan (O.S.No.1539/96, PDM & A.S. No. 110/99 Additional District Judge), dated 22-12-1998.
- Ex.P83 — Copy of deposition of witness for Anbazhagan, dated 9-11-1998.
- Ex.P84 — Copy of the trial court judgment and decree and appellate court judgment pertaining, the driver Mariappan in A.S. No.110/99 Additional District Judge, dated 15-11-2000.
- Ex.P85 — Copy of letter from Muthuraman regarding RTI Act, 2005, dated 8-5-2008.
- Ex.P86 — Copy of particulars of staff list eligible for higher post, dated 10-11-2010.

*List of respondent's witness :*

RW1 — V. Sripathy

*List of respondent's exhibits :*

- Ex.R1 — Authorisation letter, dated 3-2-2013
- Ex.R2 — Copy of the recommendations of the Comptroller-cum-Auditor General of India as to the dearth of workers and consequently the decisions as regards to the recruitment of Junior Assistants from Helper/Casual Labourers category (Copy of the Audit Slip No. 18), dated 31-3-1995.
- Ex.R3 — Copy of the decision of the Board of the respondent Corporation regarding absorption of best available talents, dated 9-6-1995.
- Ex.R4 — Copy of the Diploma presented by V. Kaliyanasundaram and K. Vengadachalapathy at the time of promotion to the post of Junior Assistants, dated April 1990 and October 1992.
- Ex. R5 — Copy of the file pertaining the recruitment of 1 to 15 whose names find place in the seniority list and approval granted by the Board, dated 22-11-1995.
- Ex.R6 — Copy of the trial court judgment and decree and appellate court judgment pertaining the driver Mariappan (O.S.No. 1539/96, PDM & A.S. No. 110/99 Additional District Judge), dated 22-12-1998.

- Ex.R7 — Copy of the Memorandum of Settlement arrived between PAPSCO Employees Union and the Management of PAPSCO, dated 16-2-1995.
- Ex.R8 — Copy of the recruitment rules of the post of Helper, dated 31-3-1995.
- Ex.R9 — Copy of the Memorandum of 25 Casual Labourers absorbed as Helper posts, dated 30-3-1995.
- Ex.R10 — Copy of the recruitment rules of the post of Junior Assistants, dated 9-6-1995.
- Ex.R11 — Copy of the Memorandum of offer for 17 Junior Assistant posts, dated 24-7-1995.
- Ex.R12 — Copy of the recruitment rules of the post of Driver with copy of the minutes, dated 4-9-1995.
- Ex.R13 — Copy of the Memorandum of offer for 3 Junior Assistant posts, dated 22-11-1995.
- Ex.R14 — Copy of the Memorandum of regularisation of 20 Junior Assistant posts, dated 9-7-2003.
- Ex.R15 — Copy of the tentative seniority list of 20 Junior Assistant posts, dated 28-4-2005.
- Ex.R16 — Copy of the order of final seniority list of 20 Junior Assistant posts, dated 10-6-2005.
- Ex.R17 — Copy of the Order passed in W.P. No. 15809 of 2008 by the High Court of Judicature at Madras, dated 3-3-2010.
- Ex.R18 — Copy of the true extract of the resolutions passed by the Board of Directors of PAPSCO, dated 23-11-1990.
- Ex.R19 — Copy of Staff Service Rules - 1988 of Pondicherry Agro Service and Industries Corporation Ltd.

**S. MARY ANSELAM,**  
Presiding Officer,  
Labour Court, Puducherry.

**GOVERNMENT OF PUDUCHERRY  
LABOUR DEPARTMENT**

*(G.O. Rt. No. 46/Lab./AIL/J/2014, dated 13th March 2014)*

**NOTIFICATION**

Whereas, and award in I.D. (T) No. 8/2011, dated 27-9-2013 of the Industrial Tribunal, Puducherry in respect of the industrial dispute between the management of M/s. Hindustan Unilever Ltd. Detergent

Factory, Vadamangalam, Puducherry and Hindustan Unilever Employees Union, Puducherry, over declaration of 8 paid holidays and setting off 2 paid holidays during the year 2010 violating clause 15 of the 12(3) Settlement, dated 10-5-2007 has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G.O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said award shall be published in the official gazette, Puducherry.

(By order)

**S. THAMMU GANAPATHY,**  
Under Secretary to Government (Labour).

**BEFORE THE INDUSTRIAL TRIBUNAL  
AT PUDUCHERRY**

*Present :* Tmt. S. MARY ANSELAM, M.A., M.L.,  
Presiding Officer,  
Industrial Tribunal.

*Friday, the 27th day of September 2013.*

**I.D. (T) No. 8/2011**

The President,  
M/s. Hindustan Unilever Employees Union,  
No. 306, V.O.C. Street, Sudhana Nagar-2,  
Nainarmandapam,  
Puducherry-605 004. . . Petitioner  
Vs.

The Managing Director,  
M/s. Hindustan Unilever Ltd.  
Detergent Factory,  
N.H. 45A, Vadamangalam,  
Puducherry-605 102. . . Respondent

This industrial dispute coming on this day before me for hearing in the presence of Thiru S. Sridhar, Advocate for the petitioner and Thiru L. Sathish, Advocate, for the respondent upon perusing the case records, this court passed, the following:

**AWARD**

This industrial dispute arises out of the reference made by the Government of Puducherry *vide* G.O. Rt. No. 123/AIL/Lab./J/2011, dated 16-6-2011 of the Labour Department, Puducherry to resolve the following dispute between the petitioner and the respondent, *viz.*,

(1) Whether the dispute raised by Hindustan Unilever Employees Union (Reg. No. 1534/RTU/2008), Puducherry against the management of M/s. Hindustan Unilever Ltd. Detergent Division, Vadamangalam, Puducherry, over declaration of 8 paid holidays and setting off two paid holidays during the year 2010 violating clause 15 of the 12(3) Settlement, dated 10-5-2007 is justified ?

(2) If justified, to what relief the workmen are entitled to ?

(3) To compute the relief in terms of money, if it can be so computed ?

2. The petitioner in this petition has stated as follows:

The respondents annual turnover is approximately ₹ 20,000 crores and its profit is ₹ 2,000 crores. The respondent unit engages more than 1,000 workers in its unit. The 12(3) Settlement, dated 10-5-2007 contained any illegal clauses much less clause 15(5) of the said agreement was illegal. The union had signed the 12(3) Settlement, dated 10-5-2007 without knowledge of its contents and the Conciliation Officer had shown any benevolence to the respondent company. The Commissioner of Labour had ever clarified that the 12(3) Settlement between the petitioner union and the respondent was in contravention of the Puducherry Industrial Establishment National and Festival Holidays Act, 1964 (PIENFHA) and this respondent ever attempted to violate the same. Since the respondent offered two additional days leave in the year 2009, it accepted that clause 15 of the 12(3) Settlement, dated 10-5-2007 was illegal and inoperative. The Election Commission had written a letter, dated 12-5-2009 to the Labour Commissioner, Puducherry, requesting them to advise the respondent to desist from insisting upon a compensatory working day on 27-9-2009. The Labour Commissioner issued any orders, dated 11-9-2009 instructing the respondent not to compensate the paid holiday granted on 13-5-2009. The respondent has ever violated any statute or order and they claim law unto themselves and it is conducting a separate kingdom. The respondent cheated members of petitioner union in signing 12(3) Settlement.

3. The respondent in this counter has stated as follows:

The petitioner is entitled for any reliefs as claimed for in the petition especially 4 days paid holidays for the year 2010 and 2011 and for compensation of ₹ 11,30,000 and is liable to imprisoned for six months. The petitioner is further entitled to 10 days of national and festival holidays for all the future years

to come. The conditions in clause 15 of the 12(3) Settlement, dated 10-5-2007 to the effect that "it is agreed that in case the government declares a paid holiday on account of polling to a National or State Assembly, such paid holiday will be set off against one from among the list of 8 declared earlier in the year. If it is not possible from the list declared for the year such paid holiday will be set off against the one from the list for the succeeding year" is violative of section 135(B) of the Representation of People Act, 1951.

Every employee shall be allowed in each calendar year a holiday of one whole day on the 26 January, 15 August, 16 August and 2 October and four other holiday each of one whole day for such festival as the Inspector may, in consultation with the employer and the employees, specify in respect of any industrial establishment. Provided that, if the majority of the employees so desire the 1st May shall be one of the four festival holidays aforesaid. Provided further that if in any calendar year the 26 January, 15 August, 16 August and 2 October falls on a weekly holiday, every employee shall, in addition to his normal wages, at his option and subject to the proviso to sub-section (3) of section 5, be entitled to—(i) An extra single day's wages, or (ii) Avail himself of an additional holiday with wages on any other day.

Further it is to be seen that section 3 of the Act provides for only 8 paid holidays, whereas, the respondent had volunteered to give two extra days as national and festival holidays by virtue of clause 15 of 12(3) Settlement. Therefore, the petitioner are entitled to 10 days of national and festival holidays only by virtue of clause 15 of 12 (3) Settlement and not by virtue of section 3 of the said Act. When additional benefits are provided by respondent by virtue of a well reasoned settlement over and above what is prescribed under the statute, the respondent is well within its right to regulate those benefits and prescribe special conditions for availing those benefits. If clause 15 of 12(3) Settlement is to be attacked on grounds that it is violative of section 3, then the additional benefits of 2 paid holidays that flow from the said clause will also have to be struck down. But the petitioner insists that they should be given 10 paid holidays as per the settlement, but are only objecting to the regulations prescribed for availing those holidays. The petitioner cannot choose only those portions of settlement which are beneficial to them and attack the rest of the portions which imposes certain conditions for enjoyments of those benefits as *null and void*.

The respondent had granted a paid holiday on 13-5-2009, but only sought to adjust the same against one of the 10 paid holidays given to the workers

upon mutual agreement under clause 15 of 12(3) agreement. Such agreement cannot be termed to be violative of section 135(B) of Representation of People Act, 1951. That is the reason why the respondent is offering two extra days holidays over and above the statutory requirements, to enable it off-set the same against any unforeseen public holidays declared by the government. The respondent submit that 12(3) Settlement has a force of law under the provisions of Industrial Disputes Act and it cannot be struck down unless it is violative of any statute. It is trite proposition that a settlement cannot be dissected into pieces and the clauses that are disadvantageous to the workers cannot be attacked as illegal. A settlement is always treated as package and benefits and obligations flow from the same. No party can seek enforcement only beneficial clauses and seek rejection of no so beneficial clauses in a settlement. The parties who have entered into an agreement with their eyes wide open and that to in the presence of a responsible government officer, are bound by each and every terms and conditions of such settlement. Once the petitioner claim 10 days compulsory holidays as per terms and conditions of the settlement the subsequent limb of the same clause entitling the management to adjust any polling day from the said 10 contractual holidays cannot be rejected as violative of any provision of law.

5. *The point for determination is:*

Whether the industrial dispute can be allowed?

6. *On the point:*

On 10-5-2007 12(3) Settlement was executed now according to the petitioner clause 15(5) of the said agreement is illegal. Clause 15 of the 12(3) Agreement is with regard to paid holidays. Section 3 of the Act provides for only 8 paid holidays. Whereas in the 12(3) Settlement the respondent had volunteered to give two extra days as national and festival holidays, so, the petitioner is entitled to 10 days of national and festival holidays only by virtue of clause 15 of 12(3) Settlement and not by virtue of section 3 of the said Act. If clause 15 of 12(3) Settlement is to be attacked on grounds that it is violative of section 3 then the additional benefits of 2 paid holidays that flow from the said clause will also have to be struck down. But the petitioner insists that they should be given 10 paid holidays as per the settlement, but he is objecting to the regulations prescribed for availing those holidays when a settlement entered into, it has to be accepted in *toto*. The petitioner cannot choose only those portions of settlement which are beneficial to him and attack the rest of the portions which imposes certain conditions for enjoyment of those benefits as *null and void*.

7. The respondent had granted a paid holiday on 13-5-2009 but only sought adjust to the same against one of the 10 paid holidays given to the workers upon mutual agreement under clause 15 of 12(3) Agreement. Such agreement cannot be termed to be violative of section 135(B) of Representation of People Act, 1951. The respondent is offering two extra days holidays over and above the statutory requirements to enable it offset the same against any unforeseen public holidays declared by the government. 12(3) Settlement has a force of law under the provisions of Industrial Disputes Act. The settlement is mutually agreed between the parties and so it cannot be struck down unless it is violative of any statute. A settlement has always treated as package and benefits and obligations flow from the same. No party can seek enforcement only beneficial clauses and seek rejection of the non-beneficial clauses in a settlement. The settlement is entered into in the presence of responsible government officers and so the parties are bound by each and every terms and conditions of such settlement. Once the petitioner claim 10 days compulsory holidays as per the terms and conditions of the settlement. The subsequent limb of the same clause entitling the management to adjust any polling day from the said 10 contractual holidays cannot be rejected as violative of any provision of law.

8. So, it is very clear that clause 15 of the 12(3) Settlement, dated 10-5-2007 is not violative of any provision of law and so clause 15 of the 12(3) Settlement, dated 10-5-2007 is justified.

9. With regard to the question No. 2 and 3 no objection is raised on the side of the parties with regard to that there is no agitation in this case. The compromise memo was filed on the side of the petitioner and the respondent counsel filed an endorsement that he has no objection in recording it. And now, the petitioner is not pressing the petition. So, the petition is dismissed.

Typed to my dictation, corrected and pronounced by me in the open court on this the 27th day of September, 2013.

**S. MARY ANSELAM,**  
Presiding Officer, Industrial Tribunal.

*List of witnesses examined for the petitioner :*

- PW.1 — 3-2-2012 — Ezhumalai  
PW.2 — 14-8-2013 — G. Ganesan (Assistant Inspector of Labour).

*List of witness examined for the respondent :*

- RW.1 — 4-4-2012 — M. Arokia Berdila Anand (HR Executive in the Respondent Factory).

*List of exhibits marked for the petitioner :*

- Ex.A1 — Memorandum of Settlement, dated 10-5-2007  
Ex.A2 — Letter sent by the Inspector of Factories to the occupier of the petitioner's company, dated 16-12-2009.  
Ex.A3 — Form-V. Approved by the Inspector of Factories, dated 11-12-2008.  
Ex.A4 — Circular of the Labour Department, dated 22-4-2009.  
Ex.A5 — Letter by the Election Department, Puducherry to the Labour Commissioner of Puducherry, dated 4-5-2009.  
Ex.A6 — Order issued by the Labour Commissioner, dated 11-9-2009.  
Ex.A7 — Reply by the respondent to the Labour Officer, dated 3-11-2010.  
Ex.A8 — Letter by the organiser of the Hindustan Unilever Employees Union, dated 3-9-2009.

*List of exhibits marked for the respondent :*

- Ex.B1 — Pay slip of the petitioner for the month of October 2011.  
Ex.B2 — Form-V issued by the factory Manager respondent for the year 2010, dated 27-1-2010.

*List of exhibits marked through PW.2 :*

- Ex.X1 — Authorisation letter by Commissioner of Labour to PW. 2, dated 5-7-2013.

**S. MARY ANSELAM,**  
Presiding Officer, Industrial Tribunal.

**GOVERNMENT OF PUDUCHERRY  
OFFICE OF THE CHIEF EDUCATIONAL OFFICER**

No. 650/CEO/Exam.Cell/2013-14.

Puducherry, the 27th February 2014.

**NOTIFICATION**

It is hereby notified that the original S.S.L.C. Mark Certificate under Register Number 476854 of April 2004, in respect of P. Kala, an ex-pupil of Kasthuribai Gandhi Government Girls' Higher Secondary School, Bahour is reported to have been lost and beyond the scope of recovery, it is proposed to issue a duplicate certificate. If the original certificate is to be found by anybody, it should be sent to the Director of Government Examinations, Chennai-6 for cancellation as it is no longer valid.

**R. KALAISELVAN,**  
Chief Educational Officer.